

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CONWAY T. PERRY,

Defendant.

8:12CR185

ORDER

This matter is before the court following the arrest of defendant Conway T. Perry (Perry) on a bench warrant (Filing No. 60). On August 7, 2012, Perry had been released on conditions including he appear at all proceedings as required (Filing No. 19). On January 22, 2012, trial commenced before Chief Judge Laurie Smith Camp. During a recess, Perry absconded from the proceedings without authorization. A warrant for his arrest was issued.

Perry appeared, pro se, before the court on January 30, 2013, together with stand-by counsel, Federal Public Defender David R. Stickman. The United States was represented by Assistant U.S. Attorney Meredith B. Tyrakoski. The government requested Perry be detained pending the disposition of charges in the Superseding Indictment.

The court took judicial notice of the Pretrial Services Violation Report. After providing both parties an opportunity for allocution as to disposition and considering the report of Pretrial Services, I find the Order Setting Conditions of Release should be revoked. Perry has demonstrated he is unable to comply with the conditions of his release.

IT IS ORDERED:

1. The Order Setting Conditions of Release of Conway T. Perry (Filing No. 19) is hereby revoked.

2. The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with stand-by defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 31st day of January, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge